

**WILLMAR CITY COUNCIL PROCEEDINGS**  
**COUNCIL CHAMBERS**  
**WILLMAR MUNICIPAL UTILITIES BUILDING**  
**WILLMAR, MINNESOTA**

November 16, 2015  
7:00 p.m.

Mayor Marv Calvin welcomed all those in attendance to the City Council meeting including the newly-elected Council Member for Ward 4, Shawn Mueske. Interim City Administrator Kevin Halliday explained that the City of Willmar conducted a Special Election on November 10, 2015 which resulted in the citizens of Ward 4 electing a Council Member to the unexpired term ending January 9, 2017. As City Clerk and Chief Official in charge of voting, he asked Shawn Mueske to step forward and presented him a Certificate of Election. The Honorable Judge Donald Spilseth, Judge of District Court, officiated the Swearing-in Ceremony of the Council Member and the signing of the Oath of Office.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Ron Christianson, Denis Anderson, Audrey Nelsen, Shawn Mueske, Andrew Plowman, Tim Johnson, and Rick Fagerlie. Present 8, Absent 1. Council Member Ahmann was excused from the meeting.

Also present were Interim City Administrator Kevin Halliday, Finance Director Steve Okins, Police Chief Jim Felt, Fire Chief Frank Hanson, Planning and Development Services Director Bruce Peterson, Public Works Director, Sean Christensen and City Attorney Robert Scott.

Council Member Fagerlie requested the addition of the Historic 313 Building and the Holiday Parade to the Council agenda.

Council Member Anderson offered a motion to adopt the Consent Agenda which included the following items: City Council Minutes of November 2, Labor Relations/Council Minutes of October 30, Willmar Municipal Utilities Board Minutes of November 9, Board of Canvass Minutes of November 12, Application for Exempt Permit – MN Ducks Unlimited State Committee, Accounts Payable Report through November 10, CER Joint Powers Board Minutes of October 23 and the Building Inspection Report for the Month of October, 2015.

Council Member Nelsen requested information related to Item B. the Labor Relations/Council Minutes of October 30 questioning the attachment of the documents acted on. Mayor Calvin removed those minutes from the Consent Agenda and Council Member Fagerlie seconded the motion to adopt the remaining consent items, which carried.

Mayor Calvin explained that those documents were not attached as the City is still working with the Labor Attorney on clarification of three items in each document which will be brought back to the Council for approval. One item is the title of Community Development Director contained within the document being corrected to Planning and Development Services Director. Another is the issue of MSRS as an investment option if the employees choose to use that venue and the third item was brought forward after it was presented to Council that on the sick leave the 6% interest earnings does not give the employees the option of having 90 days for evaluation. It is the recommendation of the Subcommittee that those three changes be considered by the Council and reflected in the documents. Council Member Nelsen made a motion to table the Labor Relations/Council minutes of October 30. Council Member Anderson seconded the motion, which carried.

Mayor Calvin briefed the Council on an application for appointment to the Community Education and Recreation Board submitted by Sally Calvin and four individuals who have applied for the Human Rights Commission. As requested by the Council, this information is being brought forth for consideration and will

be placed on the next Council agenda for approval. Council Member Fagerlie commented that years ago the City had an established Human Rights Commission which has been dormant for years due to lack of the ability to do much of anything and he questioned what has changed. Mayor Calvin noted that it was one of his campaign issues to reestablish the Human Rights Commission and that in the absence of the Commission it falls back to the Council. Council Member Mueske who previously served on the Human Rights Commission felt having a Commission gave people the opportunity to bring up things they don't want others to hear and this would be an opportunity to start that dialog. Council Member Christianson opined that prior to this Commission being reestablished, some goals or a mission should be laid out. Council Member Nelsen stated it might be helpful to review research from the League of MN Cities on how this Commission operates in other communities. Council Member Anderson offered to bring whatever information can be compiled to a committee of the Council for discussion.

There was no one present to speak at the Open Forum.

The Labor Relations Committee Report for November 5, 2015 was presented to the Mayor and Council by Council Member Anderson. There were four items for consideration.

Item No. 1            There was no public comment.

Item No. 2            Interim City Administrator Kevin Halliday presented information to the Committee relating to health insurance premium cost sharing. He pointed out that the rate for the prior 2012 employees varies between bargaining groups due to contract language and the fact that in 2015 the premium costs actually decreased by 5%. The AFSCME contract stated the employer will contribute up to \$1,428 toward the cost of the monthly premium for family coverage under the basic plan as noted for 2014 and contract language was not detailed for a premium decrease. The recent offer to the non-represented employee(s) policies reflect a stated \$1,428 per month employer share, but union employees are slated to pay a higher cost sharing due to the calculations of a 2015 calendar year decrease. This was received by the Council for information only at this time.

Item No. 3            Council Member Nelsen made a motion, seconded by Council Member Anderson to go into closed session. The meeting was closed at 4:57 p.m.

The meeting was reopened at 5:53 p.m. by motion of Council Member Anderson, and seconded by Council Member Christianson.

Item No. 4            Council Member Ahmann made a recommendation to the committee that the Mayor establish a recognition process for community members and/or people who have served on our boards and commissions, and council members of community involvement, to be presented to the Council for recognition of services. This was referred to Mayor Calvin. The Council received this for information only.

Council Member Anderson made a motion to approve and file the Labor Relations Committee Report for November 5, 2015. Council Member Fagerlie seconded the motion.

The Public Works/Safety Committee Report for November 10, 2015 was presented to the Mayor and Council by Council Member Christianson. There were four items for consideration.

Item No. 1            There was no public comment.

Item No. 2            Police Chief Jim Felt noted the jail census for November 10, 2015 was 162; 86 inmates from the Department of Corrections, 73 inmates from Kandiyohi County and 3 inmates from Swift County. The calls for service since October 27th totaled 763 and is 23 days ahead of last year. The majority of the calls were for traffic stops, followed by public assists and thefts. The two new officers will be completing the final of their four sections of field training in December. The Committee discussed the possible impact the Kandiyohi County Jail would face if the Appleton prison opened. Chief Felt expressed gratitude for all who voted for the K9 contest, with the Willmar Police Department reaching number eight in the ranking. The department has received \$200 in private

donations and \$5,000 from Jennie O for the vests for the two K9 dogs. A media event will be scheduled when the vests are delivered for fitting. Three were arrested in the robbery of Sunray Express and a warrant was issued for the juvenile involved. An officer was injured in an assault by a woman he was attempting to arrest in the early hours of November 8<sup>th</sup>, with the woman tased and apprehended by a backup officer. Possible solutions to prevent four wheeling in Robbins Island Park were discussed. The positive impact of the department's Facebook page was noted, with community involvement on the posts to help solve crimes. The possibility of an increase in thefts in the last year were discussed and the increase in calls being due to Family Services reporting. The Committee discussed the shelter options for males affected by domestic abuse and the resources Safe Avenues and LifeRight offers for them. The Council received the Police Update for information only.

**Item No. 3** Staff brought forth, for approval, the acceptance of Project No. 1301-B and authorizing final payment to Duinick, Inc. in the amount of \$111,255.88. The City entered into an agreement with Duinick on May 6, 2013 for the reconstruction of 2<sup>nd</sup> Street SE, 6<sup>th</sup> Street SW, Havana Street NE, and the Block 42 Parking Lot. The final pay request with quantities is hereby submitted for consideration and is just under contract. The delay in the project was due to the late start in starting 2<sup>nd</sup> Street. The Committee was recommending the Council approve the acceptance of Project No. 1301-B and authorize final payment to Duinick, Inc. in the amount of \$111,255.88.

Resolution No. 1 was introduced by Council Member Christianson, seconded by Council Member Nelsen, reviewed by Mayor Calvin, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 1

#### **ACCEPTING PROJECT AND AUTHORIZING FINAL PAYMENT**

IMPROVEMENT: Project No. 1301-B

CONTRACTOR:	Duinick Inc.
DATE OF CONTRACT:	May 6, 2013
BEGIN WORK:	August 30, 2013
COMPLETE WORK:	June 8, 2015
APPROVE, ENGINEERING DEPT:	July 17, 2015

**BE IT RESOLVED** by the City Council of the City of Willmar, Minnesota, that:

1. The said City of Willmar Project No. 1301-B be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

ORIGINAL CONTRACT AMOUNT:	\$1,241,718.95
FINAL NET CONTRACT AMOUNT, PROPOSED:	\$1,192,052.02
ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED:	\$1,192,052.02
Less Previous Payments	\$1,080,796.14
<b>FINAL PAYMENT DUE CONTRACTOR:</b>	<b>\$111,255.88</b>

Dated this 16th day of November, 2015.

/s/ Marv Calvin  
Mayor

/s/ Kevin Halliday  
Attest: City Clerk

**Item No. 4** Staff brought forth, for information, updates on the activities of the Public Works Department. Seasonal staff is done for the year as of November 6<sup>th</sup>. Various tasks in the department include

removing docks, sharrow symbols on Ella Avenue, prepping snow equipment for winter use and the newly updated Selvig Park. The Brush Site will be closing for the season on November 21<sup>st</sup>. The Committee discussed the usage of the dog park, the Yellow Bike program and various repair items at the Auditorium.

Council Member Christianson made a motion to approve and file the Public Works Safety Committee Report for November 10, 2015. Council Member Anderson seconded the motion.

The Community Development Committee Report for November 12, 2015 was presented to the Mayor and Council by Council Member Fagerlie. There were six items for consideration.

Item No. 1        There was no public comment.

Item No. 2        Steve Renquist, Executive Director of the City and County Economic Development Commission, informed the Committee that the City has an opportunity to recruit a business to the City that is currently operating elsewhere in the County. The business is strongly considering a move from its present location and has received much interest from metropolitan communities. The business currently has local and Florida operations.

The company has expressed interest in Willmar, but has raised questions about economic development tools and incentives. They are looking for a commercial, non-industrial site. State programs will be investigated. However, the City may be asked to consider tax increment financing or tax abatement. Mr. Renquist said that he would return in the near future with additional information. This was received by the Council for information only.

Item No. 3        Staff provided background information about the development of the MinnWest Technology Campus and the benefits of JOBZ and tax abatement in assisting in that growth. It has been proposed that the parcels that were in the JOBZ program be considered for a new tax abatement. The current City portion of real estate taxes for the JOBZ parcels is approximately \$41,600 per year.

Jim Sieben, Campus President, presented information showing the growth of tax base and employment at MinnWest. As of today, there are 450 employees in 32 companies operating on the campus. There has been \$16 million dollars invested in the campus to-date. A significant additional investment for the future is planned. Mr. Sieben also presented information depicting the monetary value of employees to the community, and related that information to the job growth on the campus. Mr. Sieben said that the campus, although on the right track, has not yet turned the corner on profitability. He requested a ten-year tax abatement on those parcels that are coming out of the JOBZ program. The county and school district will be asked to participate in the abatement.

The Committee discussed the past use of JOBZ and tax abatement on the campus. The success of the campus redevelopment was noted. Staff was asked for its recommendation. Staff recommended that the Council pursue a business subsidy agreement for a ten-year abatement with the terms to be determined by the Council and to include job creation and capital investment goals.

The Committee was recommending the Council pursue a business subsidy agreement for a ten-year tax abatement at 100% of the City's portion of taxes on the former JOBZ parcels. Also, that goals be included in the business subsidy agreement requiring the creation of 175 jobs and an additional eight million dollars in capital investment by the end of the ten year period.

Council Member Fagerlie made a motion to approve the subsidy agreement as recommended by the Committee and introduce the tax abatement for a public hearing on December 7, 2015. Council Member Nelsen seconded the motion, which carried.

Item No. 5        Staff brought the Committee up-to-date regarding development of the Willmar Industrial Park Fourth Addition on the west side of County State Aid Highway 5. It was noted that the

northern two-thirds of the plat have been completed with curb and gutter and a first course of bituminous. The balance of the work will be completed in the spring of 2016. That work was delayed due to soil conditions.

The Committee was also informed about a contact from an out-of-county company interested in moving a business with 30 employees into the newest addition of the park. Discussion concluded by staff outlining the possible route for a future rail spur and opportunities for rail-based development on the west side of the expanded industrial park. The Council received this for information only.

Item No. 6 Staff presented information about construction values to-date in 2015 and offered a projection that values would be significantly higher in 2016. This was received by the Council for information only.

Item No. 7 The Committee discussed local economic development relationships involving the City, EDC, Chamber of Commerce, Willmar Area Development Corporation and Vision 2040 group.

On a final matter the Committee requested that staff review the Industrial Park listing agreement and to bring forth recommendations for changes if warranted. Both these items were received for information only by the Council.

Council Member Fagerlie made a motion to approve and file the Community Development Committee Report for November 12, 2015. Council Member Anderson seconded the motion.

Council Member Fagerlie commented on the Open House for the Historic 313 Building held on October 26<sup>th</sup> with a bus tour to include the MinnWest Greenhouse, the new acreage for the Community Garden at MinnWest and the proposed area for additional space for a Community Garden near the Food Shelf. There were 300+ people who attended including the Lieutenant Governor Tina Smith, State Legislators from the metro along with Representative Dave Baker and Senator Lyle Koenen. The project when complete will create 25 new full-time jobs and 5 new businesses in downtown Willmar.

Council Member Fagerlie announced the upcoming Holiday Parade to be held Saturday, November 21<sup>st</sup> starting at 2:00 p.m. with the parade starting at 6:30 p.m. Activities include Santa and Mrs. Claus at the Barn Theater and Rice Hospital will be sponsoring the informational booth handing out glow sticks to the first 1,500 people. This event is sponsored by the Downtown Development Committee.

Mayor Calvin commented that he and Council Member Nelsen had attended the Rice Holiday Gala that past Saturday. He announced Rice Hospital is working on their Rice Rehab Center with a fund raising effort to fund the new outdoor recreation area and encouraged the community and the Council to provide support to the project \$1.5 million project with a goal to raise \$500,000 which will be matched anonymously if the goal is reached.

Announcements for Council Committee meeting dates were as follows: Finance/Full Council, 4:45 p.m. at City Hall, November 23; Public Works/Safety, 4:45 p.m. at City Hall, December 1; Labor Relations, 4:45 p.m. at City Hall, December 2, 2015.

Council Member Nelsen asked if there would be a discussion of the contract for the new City Administrator. Mayor Calvin responded saying there have been concerns raised pertaining to the proposed agreement and it has been referred back to the City Attorney who will be preparing information to be sent to the full Council. City Attorney Scott stated for timeliness it will most likely be placed on the Finance/Full Council agenda for Monday, November 23, 2015.

Council Member Anderson offered a motion to adjourn the meeting with Council Member Christianson seconding the motion, with carried. The meeting adjourned at 7:35 p.m.

Attest:

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MAYOR

\_\_\_\_\_  
SECRETARY TO THE COUNCIL